

Sunnyside Property Owners Association
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November 10, 2011

OWTS Policy
State Water Resources Control Board
P.O. Box 2231
Sacramento, CA 95812

To Whom It May Concern:

The Directors of the Sunnyside Property Owners Association (SPOA) appreciate the opportunity to comment on the policy for siting, design, operation and management of onsite wastewater treatment systems. (OWTS)

Sunnyside is an unincorporated Fresno County island, with parcel sizes ranging from several acres to less than one acre. Even though the county does have mandatory sewer connection regulations, residents continue to rely on septic systems, as the sewer infrastructure is incomplete. As drafted, the proposed policy would impact those residents whose systems are failing, but are unable to utilize the public sewer and cannot meet the Tier 1 criteria.

The SPOA agrees with many of the considerations included in the California Conference of the Directors of Environmental Health (CCDEH) Position Statement on Proposed SWRCB Policy on Onsite Sewage Treatment Systems approved by CCDEH Membership on September 30, 2011 and with comments offered by the Regional Council of Rural Counties (RCRC).

While the current draft is substantially improved, in that regular testing of both wells and septic systems is not required and local authorities can choose to develop a Local Agency Management Program (LAMP), the SPOA has the following concerns:

- Local authorities will have the option to operate under either Tier 1 criteria or adopt a Local Agency Management Program under Tier 2, but may be reluctant to develop a LAMP due to increased reporting costs. We would suggest a change of reporting requirements to every 2-3 years rather than annually (Section 3.3, Public Comment Draft) which would provide information regarding water quality and public health protection at a substantial cost reduction to local governments.

- Any monitoring required for approval of a LAMP shall utilize existing data to the greatest extent possible, but allow local agencies with capacity to collect additional data to do so as deemed appropriate by the local agency.
- Additional assessment of the performance of existing OWTS in Tier 0 by a local agency beyond the current level of oversight should not be required.
- The final policy will need to include a mechanism to ensure that Regional Boards do not arbitrarily or unnecessarily impose excessively stringent regulatory restrictions as a condition of a LAMP.
- In the absence of a LAMP, property owners whose septic systems cannot be repaired under Tier 1 standards will fall under Tier 4 and may need to submit a report of waste discharge to the Regional Water Board. This process will be time consuming and costly and could impact public health while the Board determines the necessary corrective action. If local authorities fail to adopt Tier 2 standards, Tier 1 criteria must not be overly restrictive and should be amended to include acceptable options for seepage pits where they exist and leach fields or connection to the City sewer is not feasible.
- At present there are no impaired water bodies identified in the Sunnyside area, however there may be properties served by existing OWTS that are within the Tier 1 policy setbacks for a public water well or water conveyance system. Property owners who do not have an option to connect to the public sewer with “de minimus” discharge contributions should not be expected to implement costly remediation programs that will not significantly improve water quality.

Thank you for allowing us the opportunity to comment on the revised Public Comment Draft. Please continue to keep us informed as to further revisions or input in the final draft. I can be reached at 559-453-9075 or srwillia@comcast.net.

Sincerely,

Sue Williams
Corresponding Secretary

CC: Debbie Poochigian, Supervisor District 5